

concur in the House amendment to the Senate amendment to H.R. 3547, Space Launch Liability Indemnification Extension Act and the Omnibus Appropriations Act for Fiscal Year 2014.

Harry Reid, Barbara A. Mikulski, Benjamin L. Cardin, Christopher A. Coons, Patrick J. Leahy, Brian Schatz, Jack Reed, Tom Udall, Jeanne Shaheen, Tim Kaine, Patty Murray, Richard Blumenthal, Jeff Merkley, Mark Udall, Tom Harkin, Mark Begich, Mary L. Landrieu.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived. The question is, Is it the sense of Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3547 shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 72, nays 26, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—72

Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Blunt	Hirono	Reid
Booker	Hoeven	Rockefeller
Boozman	Isakson	Sanders
Boxer	Johnson (SD)	Schatz
Brown	Kaine	Schumer
Burr	King	Shaheen
Cantwell	Kirk	Shelby
Cardin	Klobuchar	Stabenow
Carper	Landrieu	Tester
Casey	Leahy	Udall (CO)
Coats	Levin	Udall (NM)
Cochran	Manchin	Vitter
Collins	Markey	Warner
Coons	McCaskill	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wicker
Feinstein	Mikulski	Wyden

NAYS—26

Barrasso	Grassley	Portman
Corker	Heller	Risch
Cornyn	Inhofe	Roberts
Crapo	Johanns	Rubio
Cruz	Johnson (WI)	Scott
Enzi	Lee	Sessions
Fischer	McCain	Thune
Flake	McConnell	Toomey
Graham	Paul	

NOT VOTING—2

Chambliss	Coburn
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The PRESIDING OFFICER. On this vote the yeas are 72, the nays are 26. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer falls as being inconsistent with cloture.

Under the previous order, the motion to concur with an amendment is withdrawn. All postcloture time is yielded back.

The question is on agreeing to the motion to concur.

Ms. CANTWELL. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 26, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—72

Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Blunt	Hirono	Reid
Booker	Hoeven	Rockefeller
Boozman	Isakson	Sanders
Boxer	Johnson (SD)	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Kirk	Shelby
Carper	Klobuchar	Stabenow
Casey	Landrieu	Tester
Coats	Leahy	Udall (CO)
Cochran	Levin	Udall (NM)
Collins	Manchin	Vitter
Coons	Markey	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Franken	Mikulski	Wyden

NAYS—26

Barrasso	Grassley	Portman
Burr	Heller	Risch
Corker	Inhofe	Roberts
Cornyn	Johanns	Rubio
Crapo	Johnson (WI)	Scott
Cruz	Lee	Sessions
Enzi	McCain	Thune
Fischer	McConnell	Toomey
Flake	Paul	

NOT VOTING—2

Chambliss	Coburn
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The PRESIDING OFFICER. The motion to concur in the House amendment to the Senate amendment to H.R. 3547 is agreed to.

Ms. MIKULSKI. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 3547

The PRESIDING OFFICER. Under the previous order, the clerk will report H. Con. Res. 74 by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 74) providing for a correction in the enrollment of H.R. 3547.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution is agreed to and the motion to reconsider is considered made and laid upon the table.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2014—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Iowa is recognized.

FUNCTIONING OF THE SENATE

Mr. GRASSLEY. Mr. President, I would like to continue the discussion about the description of the Senate as a deliberative body and continue to echo the call for the distinguished minority leader for a return to a functional Senate. I have spoken on this issue before. I think it is best to go back to the Constitution and the people who wrote the Constitution for an understanding of what was intended when the Senate was set up. So I do not intend to dwell on the use of the so-called nuclear option related to the filibuster.

The reason I am not going to spend my time on the nuclear option today as in previous speeches is the majority leader claims the Senate's dysfunction is related to some unprecedented use of filibusters. I think that has been thoroughly debunked. This claim is directly refuted by the very source he has pointed to, the Congressional Research Service.

More importantly, it has been debunked by fact checkers in important media sources in America. Yet, as we know, the Senate is dysfunctional beyond a doubt. To get to the bottom of how and, more importantly, why the Senate is not functioning, we must have a clear understanding of just how the Senate is supposed to function. As I just said, we should turn to the Constitution.

For an understanding of what the Constitution means, there is no better source for this than going back to the Federalist Papers. I have referenced the Federalist Papers before on this subject, but it is worth the detail about what the Framers of the Constitution had in mind when the Senate was created.

Federalist Paper 62, which is usually attributed to the Father of the Constitution, James Madison, begins to lay out the rationale for how the Senate is to operate. He mentioned that the number of Members and the length of terms are different between the House and Senate. Then he said this—but before I quote, I hope you understand that when something was written in 1787 and 1788, they use a little different form of English than what we use. But it is pretty clear what they intended to say about explaining the difference between the House and the Senate. So here begins my quote of James Madison:

In order to form an accurate judgment on both of these points, it will be proper to inquire into the purposes which are to be answered by a Senate; and in order to ascertain these, it will be necessary to review the inconveniences which a Republic must suffer from the want of such an institution.

End of that quote, but I will have several other quotes from the Federalist Papers. In this specific quote, in